



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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IN REPLY PLEASE
REFER TO FILE: **B-2**

August 29, 2002

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**FINDINGS AND ORDERS OF THE BUILDING REHABILITATION
APPEALS BOARD
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the findings and orders of the Building Rehabilitation Appeals Board which provide for abatement of public nuisance at the following locations for approval:

40545 169th Street East, Lake Los Angeles
41741 159th Street East, Lake Los Angeles
36107 96th Street East, Littlerock
441 Bonita Avenue, Pasadena

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Title 26 of the Los Angeles County Code, the Building Code, provides for abatement of public nuisances through rehabilitation procedures contained in Chapter 99. The Building Code also provides for a Building Rehabilitation Appeals Board, appointed by your Board, for the purpose of hearing appeals on matters concerning public nuisances.

Government Code Section 25845 requires that the property owners be provided an opportunity to appear before the Board and be heard prior to abatement of the nuisance by the County. However, your Board adopted modified procedures which delegated the required hearing to the Building Rehabilitation Appeals Board with the requirement that the Building Rehabilitation Appeals Board make a written recommendation to your Board.

Implementation of Strategic Plan Goals

This action meets the County's Strategic Plan Goals of Service Excellence and Children and Families' Well-Being as it provides services to the public that have a wide-reaching positive effect on the entire community. The action will provide for the arrest and abatement of neighborhood deterioration and the elimination of unsightly, unsafe, and unhealthful conditions which constitute a public nuisance. It will require the repair of a substandard structure and the removal of trash, junk, debris, inoperable vehicles, and overgrown vegetation from private property.

FISCAL IMPACT/FINANCING

No negative fiscal impact or increase in net County cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Building Rehabilitation Appeals Board has conducted the required hearing for the properties listed below. The Building Rehabilitation Appeals Board considered all competent evidence and testimony offered by all persons pertaining to the matters of substandard properties. The Building Rehabilitation Appeals Board made a finding of facts in the matter and declared the following properties to be a public nuisance.

Your Board may either adopt these findings and orders of the Building Rehabilitation Appeals Board without further notice of hearing or may set the matter for a de novo hearing before your Board.

ADDRESS: 40545 169th Street East, Lake Los Angeles

FINDING AND ORDERS: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following orders: a) That the property be cleared of all trash, junk, debris, discarded household furniture and appliances, and miscellaneous personal property by September 9, 2002, and maintained cleared thereafter. b) That the abandoned, wrecked, dismantled, or inoperable vehicle(s) be removed by September 9, 2002.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. Miscellaneous articles of personal property scattered about the premises.
3. Trash, junk, and debris scattered about the premises.
4. Inoperable vehicle(s) or parts thereof stored for unreasonable periods on the premises.

ADDRESS: 41741 159th Street East, Lake Los Angeles

FINDING AND ORDERS: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following orders: a) That the property be cleared of all trash, junk, debris, discarded household furniture and appliances, and miscellaneous personal property by October 1, 2002, and maintained cleared thereafter. b) That the abandoned, wrecked, dismantled, or inoperable vehicle(s) be removed by October 1, 2002.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. Abandoned, wrecked, dismantled, or inoperable vehicle(s) or parts thereof stored for unreasonable periods on the premises.

ADDRESS: 36107 96th Street East, Littlerock

FINDING AND ORDERS: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following orders: a) That the property be cleared of all trash, junk, debris, discarded household furniture and appliances, and miscellaneous personal property by September 9, 2002, and maintained cleared thereafter. b) That the structure be closed to prevent unauthorized entry by September 9, 2002, and maintained closed thereafter. c) That the structure be repaired per noted defects by October 1, 2002.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. The building is open and accessible to juveniles and transients and is a health, fire, and safety hazard to the adjacent community. The building or structure must be secured or closed forthwith so as to prevent unauthorized persons from gaining access thereto.*
3. Doors and windows are broken.
4. The floor and flooring in the building are insanitary.
5. The electrical service is noncomplying.
6. Electrical wiring in the interior is unsafe due to exposed conductors.
7. The dwelling lacks hot and cold running water to the required plumbing fixtures.
8. The premises contain attractive nuisances dangerous to children, i.e., abandoned or broken equipment, furniture, and junk.

***The following option was given to the owner**

"If, in your opinion, the building or structure is sufficiently secured or closed, or for any other reason you cannot comply with Item No. 2 on this 'List of Defects,' you may request a hearing within ten days of receipt of this notice. If the required work is not performed within ten days after service of this notice and if a timely demand for a hearing is not made, the County may perform the work at the expense of the said owner."

The interior of the building was not readily accessible for inspection; therefore, additional defects may be found when an interior inspection is made.

ADDRESS: 441 South Bonita Avenue, Pasadena

FINDING AND ORDERS: The Board made a finding that the property is substandard, declared the property a public nuisance, and issued the following orders: a) That the property be cleared of all trash, junk, debris, discarded household furniture and appliances, miscellaneous personal property, and all excessive vegetation by September 9, 2002, and maintained cleared thereafter. b) That the structure be closed to prevent unauthorized entry by September 9, 2002, and maintained closed thereafter.

List of Defects

1. Maintenance of premises so out of harmony and/or conformity with the maintenance standards of adjacent properties as to cause substantial diminution of the enjoyment, use, or property values of such adjacent properties.
2. Overgrown vegetation, weeds, and debris constituting an unsightly appearance or a danger to public safety and welfare.
3. Miscellaneous articles of personal property scattered about the premises.
4. Trash and junk scattered about the premises.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable.

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CONCLUSION

The Building Rehabilitation Appeals Board confirmed the County Building Official's findings that the listed properties are substandard because they are injurious to health, offensive to the senses, and obstruct the free use of neighboring property so as to interfere with the comfortable enjoyment of life and property.

At such time as this recommendation is adopted, please return an approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

ICP:pc
P:REHAB/BOARDLET/FO5

cc: Chief Administrative Office
Executive Office
County Counsel